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08-23-04

1647/6  
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PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/978,585
		Filing Date	OCTOBER 16, 2001
		First Named Inventor	AVI J. ASHKENAZI
		Group/Art Unit	1647
		Examiner Name	SPECTOR, LORRAINE
Total Number of Pages in This Submission	3	Attorney Docket Number	39780-2630 P1C15

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> <b>FEE TRANSMITTAL FORM</b> <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> <b>AMENDMENT / RESPONSE</b> <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s)		<input checked="" type="checkbox"/> <b>ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):</b> <input checked="" type="checkbox"/> <b>STAMPED RETURN POSTCARD</b>
<input checked="" type="checkbox"/> <b>EXTENSION OF TIME REQUEST (3 MONTH)</b> <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice		
	Remarks	
<b>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2630 P1C15.</b>		

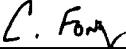
## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRLMAN WHITE & McAULIFFE LLP 275 Middlefield Road, Menlo Park, California 94025		
Signature			
Date	JULY 21, 2004	Customer Number:	35489

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP FEE AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: JULY 21, 2004

Express Mail Label EL 977 678 535 US

Typed or printed name	C. FONG		
Signature		Date	JULY 21, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Spector, Lorraine  
Avi J. ASHKENAZI, et al. )  
Application Serial No. 09/978,585 ) Art Unit: 1647  
Filed: October 16, 2001 ) Confirmation No. 5223  
For: **SECRETED AND** ) Attorney's Docket No. 39780-2630 P1C15  
**TRANSMEMBRANE** )  
**POLYPEPTIDES AND NUCLEIC** )  
**ACIDS ENCODING THE SAME** ) **Customer No. 35489**

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EXPRESS MAIL LABEL NO. EL 977 678 535 US

Date Mailed: JULY 21, 2004

### PETITION FOR EXTENSION OF TIME

#### **Mail Stop Fee Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) to respond to the Office Action mailed January 21, 2004, for three months. This petition is filed to maintain co-pendency for a continuation application being filed today.

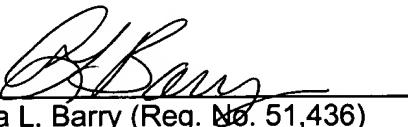
The Commissioner is authorized to charge any fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641  
(Attorney Docket No. 39780-2630 P1C15).

07/26/2004 HLE333 00000042 081641 09978585

01 FC:1253 950.00 DA

Respectfully submitted,

Date: July 21, 2004

By:   
Anna L. Barry (Reg. No. 51,436)

**HELLER EHRMAN WHITE & McAULIFFE LLP**  
275 Middlefield Road  
Menlo Park, California 94025-3506  
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Facsimile: (650) 324-0638



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# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** **950.00**

**Complete if Known**

Application Number	09/978,585
Filing Date	OCTOBER 16, 2001
First Named Inventor	AVI J. ASHKENAZI
Examiner Name	SPECTOR, LORRAINE
Art Unit	1647
Attorney Docket No.	39780-2630 P1C15

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

**Deposit Account:**

Deposit Account Number **08-1641 (39780-2630 P1C15)**  
Deposit Account Name **HELLER EHRLMAN WHITE & McAULIFFE LLP**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>					

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =		
Independent Claims	- 3** =		
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202	18	2202 9 Claims in excess of 20
1201	84	2201 42 Independent claims in excess of 3
1203	280	2203 140 Multiple dependent claim, if not paid
1204	84	2204 42 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3) (\$)</b>			<b>950.00</b>

(Complete if applicable)

Name (Print/Type)	ANNA L. BARRY	Registration No. (Attorney/Agent)	51,436	Telephone (650) 324-7000
Signature		Date	JULY 21, 2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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